



Department of Energy

Washington, DC 20585

April 4, 2024

Phil Rutherford

Via email: email@philrutherford.com

HQ-2024-01615-F

Re: Please provide copies of the letter(s) sent by Senator Feinstein to the Clinton administration officials including the Energy Secretary, Bill Richardson on May 5, 1999

Dear Phil Rutherford:

Thank you for the request for information that you made to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your request was received in this office on April 3, 2024 and has been assigned a controlled number, HQ-2024-01615-F. Since we receive several hundred requests a year, please use this number in any correspondence with the Department about your request.

DOE's FOIA regulations require that your request must explicitly state that you will pay all fees associated with processing the request, that you will pay fees up to a specified amount, and/or that you are seeking a fee waiver. If the processing does not exceed the amount you agree to pay, you will be charged that exact amount. If costs are expected to exceed the agreed upon amount, we will contact you for a fee agreement to pay the amount we expect processing will cost. Without an agreement to pay fees, your request is not perfected and will not be processed.

If you are interested in obtaining a fee waiver, you must provide a response to the requirements below. If it is determined, you meet the requirements your fee waiver will be granted.

The DOE has implemented this statutory standard for fee waivers or reduced fees in its FOIA regulation at Title 10, Code of Federal Regulations (CFR), Section 1004.9(a). The regulation sets forth the following factors that are considered by the agency in applying the criteria:

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government".
2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.



3. The contribution of an understanding by the general public of the subject likely to result from disclosure (i.e., the requester must have the ability and intention to disseminate this information to the public).
4. There exists no commercial interest.
5. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

Upon receipt of your indication that you are willing to pay fees, or alternatively, sufficient supporting information for a fee waiver, and upon your contacting me to restructure your request to make it a valid FOIA request deemed "received" by DOE, we will commence processing your request. Because we cannot leave requests open indefinitely, we will need you to restructure your request to address the fees associated with processing requests and to specific records sought **within 5 business days** from the date of this communication. If we do not hear from you by that date, no further action will be taken, and your file will be closed.

You may contact DOE's FOIA Public Liaison, Alexander Morris, FOIA Officer, Office of Public Information, via email at alexander.morris@hq.doe.gov, or by mail at MA-46/Forrestal Building 1000 Independence Avenue, S.W. Washington, D.C. 20585 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Please refer to the above referenced number in any communications about the request. If you have any questions about the processing of your request, you may contact **Jordan O'Donnell** via email at jordan.o'donnell@hq.doe.gov.

I appreciate the opportunity to assist you with this matter.

Sincerely,

/s/ Alexander C. Morris
Alexander C. Morris
FOIA Officer
Office of Public Information